

real personal responsibility, providing adequate child care for both working poor and welfare families, and ensuring our children can count on help from adults.

It has been my hope that we could achieve some positive changes to the current system. If there is one thing everyone can agree on, it's that the current system is flawed. It needs fixing, and I vowed to support reform. My challenge has been to influence that reform in the most constructive direction possible.

As someone who came to the Senate during the 1992 election year, I know we cannot continue to do things the way we always have. We must take a hard look at the sum total of our Government programs, and rework them to accurately reflect society's strengths, weaknesses, and needs.

We entered the debate with two bills, the Dole version and the Daschle Work-First bill. I cosponsored and voted in favor of the Daschle bill. I supported it because I felt it was the right place to start. It reflected a genuine commitment to helping poor families move up and into the work force.

Unfortunately from my perspective, a majority in the Senate rejected the Daschle bill. But I didn't give up there. I and others began devoting our energies to improving the Dole bill.

First, we offered an amendment to require full funding, and full protection for child care and children's programs. It would have provided the full \$11 billion estimated by the Department of Health and Human Services to be necessary to meet child-care needs. Again, this amendment was narrowly defeated, 50-48.

Given the closeness of this vote, Senators DOLE and DASCHLE were able to reach a compromise that strengthened the Dole bill, but fell short of our original amendment. It includes provisions which: require States to maintain their welfare spending at a minimum of 80 percent of current levels; strike the job training title—which had no business in a welfare bill to begin with, establish a contingency grant fund to take care of States in times of economic downturns, and provide a total of \$8 billion for childcare services nationwide. I support this compromise, though I feel ultimately we will have to do more.

Following the child-care debate, I cosponsored an amendment to establish greater protection for victims of domestic violence. I believe domestic violence to be the single, most destructive force against families in America today. No one, not the Senate, the President, or anyone else, can place a value on the price paid by mothers and their children attempting to survive an abusive household. This time the Senate agreed, and my amendment was adopted unanimously.

Having worked hard to improve the Dole bill, I found myself faced with a very difficult decision. I could either vote against the Dole bill based on its

shortcomings for children, or I could vote to affirm the improvements we made to it.

I believe the Dole bill to be deeply flawed. I believe it draws into question the welfare of poor children throughout the Nation. But I also believe we have to start somewhere. The current system needs to be changed, and the Dole bill changes it fundamentally. Therefore, I voted yes.

Mr. President, change of any kind always involves risk. We will never know how great that risk is until we try something different. What we do know, however, is that change brings new responsibility.

We do not know whether this bill will make it into law. If it is enacted, we don't know if it will work. It may prove a fabulous success, or it may only prove to make problems worse for the poor.

But today, we have created a grave new responsibility for this Senate: to be watchdogs for our children. More than ever before, all Senators have an obligation to make the law work in favor of poor children. All Senators have a responsibility in the future to consider the successes and failures they have created this day, and to be prepared to make changes later if things don't work out.

The most unfortunate part of this debate, in my opinion, is that people don't think of children when they think of welfare. People think of dependency, complacency, poverty, and all the worst stereotypes. This troubles me because it is children who face the most difficult struggles. It is children who are most deserving of our care.

The outcome of this debate does not change one iota this basic fact: we need a national commitment to children in this country. I believe this to the very core of my being.

Children are under assault every single day in this country. In their homes, in school, on the streets, and yes, in this Congress. We see it in cuts to education and dismantling of crime prevention. We see it in Medicaid cuts, defunding of AmeriCorps, and elimination of student loans.

Today, I voted for change, to try something new. But I also took responsibility to live with that change, and to work even harder promoting a broad, national commitment to our children. Mr. President, I urge my colleagues to accept that responsibility with equal sobriety, and with equal vigor.

The outcome today was not in doubt. Nor is this the end of the debate. There will be a conference committee. We may even debate a conference report. More likely, we will see this bill again in the budget reconciliation yet to come.

I think we can change welfare for the better, and move more people into the work force. I look forward to working with you, Mr. President and all my colleagues, to this end; but also to build a stronger commitment to children. We must do this in welfare reform, and

across the whole spectrum of issues we consider this session. The future is simply too important. And unlike before, it is our new responsibility.

Thank you, Mr. President. I yield the floor.

CHANGE OF VOTE

Mr. ROCKEFELLER. Mr. President, on rollcall 440 I voted aye; my intention was to vote no. I did not know it was a tabling amendment.

I ask unanimous consent that I be permitted to change my vote, which in no way will change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1976) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The Senate continued with the consideration of the bill.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCEPTED COMMITTEE AMENDMENT ON PAGE 83, LINE 4, THROUGH PAGE 84, LINE 2

Mr. COCHRAN. Mr. President, what is the pending business, I inquire of the Chair?

The PRESIDING OFFICER. The pending question is the committee amendment on page 83 of the bill.

Mr. COCHRAN. Mr. President, 4 minutes remains to be debated on the amendment before we conclude debate on this subject?

The PRESIDING OFFICER. The Senator is correct.

Mr. PRYOR. Mr. President, there is not order in the Senate.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, for the information of Senators, 4 minutes remain in debate time on this amendment. We have agreed Senator BOXER will use the first minute and the managers 2 minutes and then Senator BOXER will close the debate for the remaining 1 minute.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I hope my colleagues will listen to this because it is such a common sense issue.

If I were to tell you that hot is cold and cold is hot, you would think I was kidding. And if I told you that freezers keep things warm and ovens keep things cold, you would think I had lost it. And then if I told you that chicken frozen to 1 degree was fresh you would question my brain capacity. And yet, every day in America's supermarkets, our consumers go in and buy chicken products, turkey products—they are marked fresh and they are hard as a rock. They are as low as 1 degree. And the Food Safety and Inspection Service finally has remedied that by saying if you are going to put a label on it, it has to reflect the condition of the product; fresh is fresh; frozen is frozen.

The committee amendment would stop that rule from going into effect. So I am going to move, at the appropriate time, to table that amendment.

They are going to tell you this is a parochial issue. It is not. It is a consumer issue. Every consumer organization thinks this rule should go into effect. I hope Senators will vote to table the committee amendment.

I reserve my 1 minute to close this very intriguing debate.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Mississippi.

Mr. COCHRAN. I yield 1 minute to the distinguished Senator from Arkansas [Mr. BUMPERS].

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, this is one of those issues that if you look at it you would think the California Senators had the high ground. They do not.

In 1992 the California Poultry Association went to the California legislature and said, "We cannot compete. We have to do something." These chickens are coming in here at 26, 27, 28 degrees, which they have been for decades. They are not frozen hard. We are not talking about zero degrees. They said, "We cannot compete."

So the California Legislature adopted a rule which a Federal court promptly ruled out of order because we had preemption on it. So what happened? They go to the Agriculture Department. The rule we are talking about is exactly what the California Legislature passed.

I want to tell you this, we have shipped—Southern and Southeastern States have shipped billions and billions and billions of poultry all over the United States. Not just California, everywhere. One complaint, from the California Poultry Federation. They do not even want to allow you a 2 to 3 percent plus or minus allowance. It is the California Poultry Federation bill.

The PRESIDING OFFICER. The Senator has used 1 minute.

The Senator from Mississippi.

Mr. COCHRAN. I yield myself the remainder of the time.

It is clear from the evidence that this is an effort to protect California poultry producers from competition from outside the State. There is no doubt about it.

Somebody asked me a while ago, they said, "I do not understand this.

Are we being told that if something is frozen that it is not fresh?" The point is, the Food Safety and Inspection Service has concluded, somehow, that fresh is the opposite of frozen. Fresh is the opposite of stale or unfit for consumption or something that does not taste good.

The fact of the matter is, this poultry is being sold in California that is being processed in Mississippi or Arkansas, Louisiana, Oklahoma, Virginia, Delaware—Senator BIDEN talked about his industry there. We would not be able to see our poultry processors ship any poultry into the California market because of this rule. The rule as promulgated is that it has to be at no less than 26 degrees, flat 26, no variance, no exceptions. Think about a truck going across the country to California and you have to maintain that exactness.

There is going to be a patrol of inspectors waiting on you from California to see if you have met these strict rules? They need to reexamine it. The amendment says no funds will be used to enforce this regulation until they review it. That is what we insist upon.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from California.

Mrs. BOXER. Mr. President, I heard my colleague mention California 13 times. I find it amusing. It was under the Bush administration that this truth in labeling started, in 1988; in 1988. This is a consumer issue and finally we have a chance to make sure that our people who walk into supermarkets, who take care of their families, who buy poultry, will know what they are getting. They know the fat content now. They know how much calcium is in a product now. They know how many minerals are in a product, how many calories are in the product, how much protein is in the product. They only thing they do not know is if a product has been previously frozen.

Sometimes they take it, throw it in the freezer, defrost it again, which is bad. It is a bad thing to do for the health of their families.

This is a consumer issue and the consumers are watching us. That is why every consumer group is on our side and says, "Please, vote to table the committee amendment."

The fact of the matter is, this is simple common sense. You can turn it around, you can say "California" 22 times—it does not change the fact. Fresh is fresh. Frozen is frozen.

All time has expired, so I move, at this time, to table the committee amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question occurs on the motion to lay on the table the committee amendment on page 83, line 4 of the bill.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is absent due to illness.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 444 Leg.]

YEAS—38

Akaka	Feingold	Mikulski
Baucus	Feinstein	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Gorton	Murray
Bradley	Graham	Packwood
Bryan	Harkin	Pell
Chafee	Kennedy	Reid
Cohen	Kerrey	Sarbanes
Daschle	Kerry	Simon
DeWine	Lautenberg	Snowe
Dodd	Leahy	Thompson
Dorgan	Levin	Wellstone
Exon	Lieberman	

NAYS—61

Abraham	Frist	McCain
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Biden	Grassley	Nickles
Bond	Gregg	Nunn
Breaux	Hatch	Pressler
Brown	Hefflin	Pryor
Bumpers	Helms	Robb
Burns	Hollings	Rockefeller
Byrd	Hutchison	Roth
Campbell	Inhofe	Santorum
Coats	Inouye	Shelby
Cochran	Jeffords	Simpson
Conrad	Johnston	Smith
Coverdell	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Kohl	Thomas
Dole	Kyl	Thurmond
Domenici	Lott	Warner
Faircloth	Lugar	
Ford	Mack	

NOT VOTING—1

Hatfield

So, the motion to lay on the table the excepted committee amendment on page 83, line 4 through line 2, page 84, was rejected.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the motion to table was rejected.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2688, AS MODIFIED

Mr. COCHRAN. Mr. President, as I understand it, the pending business is the Brown amendment to the committee amendment.

The PRESIDING OFFICER. The Senator is correct. Under the previous order, the Senate will proceed to consideration of the Brown amendment No. 2688, on which there shall be 60 minutes under the control of the Senator from Alabama [Mr. HEFLIN], and 30 minutes under the control of the Senator from Colorado [Mr. BROWN], with a vote on or in relation to the amendment.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the pending

amendment be temporarily laid aside so that I can offer an amendment on behalf of Senator BINGAMAN which has been agreed to on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2693

(Purpose: To reduce the energy costs of Federal facilities for which funds are made available under this act)

Mr. BUMPERS. Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. BINGAMAN, proposes an amendment numbered 2693.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) REDUCTION IN FACILITIES ENERGY COSTS.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1996 a 5 percent reduction, from the average previous three fiscal year levels, in the energy costs of the facilities used by the agency.

(b) USE OF COST SAVINGS.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, as follows:

(1) CONSERVATION MEASURES.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) OTHER PURPOSES.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 1996, the Secretary of Agriculture (a) shall submit a report to Congress specifying the results of the actions taken under subsection (a) and providing any recommendations concerning how to further reduce energy costs and energy consumption in the future.

(2) CONTENTS.—Each report shall—

(A) specify the total energy costs of the facilities used by the agency;

(B) identify the reductions achieved; and
(C) specify the actions that resulted in the reductions.

Mr. BINGAMAN. Mr. President, I rise today to commend the two floor managers of the bill, the distinguished Senator from Mississippi, Senator COCHRAN, and the distinguished Senator from Arkansas, Senator BUMPERS, and their staff, for their excellent and efficient management of the fiscal year 1996 Appropriations Act for the Department of Agriculture.

I would like to take a few moments to discuss an amendment I am offering

on this appropriations bill. My amendment encourages agencies funded under the bill to become more energy efficient and directs them to reduce facility energy costs by 5 percent. The agencies will report to the Congress at the end of the year on their efforts to conserve energy and will make recommendations for further conservation efforts. I have offered this amendment to every appropriations bill that has come before the Senate this year, and it has been accepted to each one.

I believe this is a commonsense amendment: the Federal Government spends nearly \$4 billion annually to heat, cool, and power its 500,000 buildings. The Office of Technology Assistance and the Alliance to Save Energy, a non-profit group which I chair with Senator JEFFORDS, estimate that Federal agencies could save \$1 billion annually if they would make an effort to become more energy efficient and conserve energy.

Mr. President, I hope this amendment will encourage agencies to use new energy savings technologies when making building improvements in insulation, building controls, lighting, heating, and air conditioning. The Department of Energy has made available for government-wide agency use streamlined energy saving performance contracts procedures, modeled after private sector initiatives. Unfortunately, most agencies have made little progress in this area. This amendment is an attempt to get Federal agencies to devote more attention to energy efficiency, with the goal of lowering overall costs and conserving energy.

As I mentioned, Mr. President, this amendment has been accepted to every appropriations bill the Senate has passed this year. I ask that my colleagues support it.

Mr. BUMPERS. Mr. President, this is an amendment that requires the Department of Agriculture to use essentially a 3-year base for energy uses and requires them to cut their energy use by 5 percent.

Mr. COCHRAN. Mr. President, we have reviewed the amendment, and we have agreed to it with some modifications being made to the amendment by the Senator from New Mexico. We urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2693) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 2688, AS MODIFIED

Mr. HEFLIN. Mr. President, is the pending business the Brown amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. HEFLIN. I yield such time to Senator NUNN, of Georgia, as he may consume.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Georgia.

Mr. NUNN. Mr. President, I rise to oppose the Brown amendment No. 2688, which would prohibit the outlay of any Federal funds for salaries and expenses of U.S. Department of Agriculture employees who carry out the peanut program.

I know the Senator from Colorado and the Senator from Alabama and the Senator from Georgia have spoken on this amendment. It is my hope there are going to be some changes in the amendment.

I speak to the amendment as it now exists. Mr. President, I oppose the Brown amendment on three basic grounds. No. 1, while well-intentioned, I am sure the amendment is poorly drafted. No. 2, even if the Brown amendment was drafted correctly, it singles out the administrative cost of the peanut program and raises questions that are beyond the scope of the bill, and No. 3, the Brown amendment preempts the legislative process and, I think, would undermine a very serious effort by a bipartisan group of Senators who are working for reform in the authorization bill to greatly lower, if not eliminate, the cost of the price support program from the agriculture budget.

First, let me speak to the language of the amendment. The amendment has two basic sentences. The sentence No. 1 says:

None of the funds made available under this act may be used to pay the salaries and expenses of USDA employees who carry out a price support or production adjustment program for peanuts.

And then No. 2:

Assessment.—The Secretary of Agriculture may charge producers a marketing assessment to carry out the program under the same terms and conditions as are prescribed under section 108B(g) of the Agriculture Act of 1949.

Mr. President, as I read this amendment, this means that an Agriculture Department employee who might spend 1 percent of his or her time administering the peanut program and 99 percent of his or her time administering the cotton or the CRP program or other programs will not receive any salary.

The amendment says that no funds may be used to pay salaries and expenses of anyone who runs the peanut program, period. It does not say "unless that money is reimbursed." That is what the second sentence implies, but that is not the way the amendment reads.

Even if a peanut grower paid the portion of the salary of a CFSA employee who administers the peanut program, that person, under a literal reading of the Brown amendment, could not receive a Federal salary at all for administering other commodity programs—

cotton, feed grains, CRP program, and others.

The peanut program is run by county employees of Consolidated Farm Service Agency, and these same employees administer the other programs in the Department of Agriculture. So if read literally, as I think any interpretation would have to read it, the Brown amendment could terminate the operation of every Federal farm program in every county where peanuts are grown. Again, I do not think that is what the Senator from Colorado means, but that is what the amendment says.

Second, the Brown amendment singles out peanut producers to pay for the administrative costs of their own program. Notwithstanding the Brown sense-of-the-Senate amendment adopted yesterday on tobacco, no other group of producers has been asked to pay for the administrative cost of their program.

Furthermore, the other American groups, like bankers, do not pay for the cost of administering the banking program, the FDIC program and many other programs.

If we are going to do this, it ought to be done on a broad basis and not simply for one commodity. Why not do it for the feed program, sugar, dairy, and so forth? If this kind of reform is going to be undertaken, and there may be some merits for it, it would imply a much broader set of reforms going far further than the Department of Agriculture and really encompassing our entire Federal Government. That is not to say that the support price of it should not be addressed, and I am sure it is going to be addressed in the reform bill that is now occurring.

Finally, this amendment preempts the legislative process. Later this week, the Senate Agriculture Committee, I understand, will begin marking up commodity titles for the 1995 farm bill which will be part of the reconciliation bill. The Brown amendment, as I view it, would undermine a very serious effort by a number of Senators who are working for reform of the program in the authorization bill.

Peanuts are grown in 72 of Georgia's 159 counties. Yesterday, the junior Senator from Georgia, Senator COVERDELL, noted that in 75 percent of those counties, the poverty rate exceeds 20 percent. If we make an unreasoned and abrupt change, rather than an evolutionary change, in the peanut program, the economies of these counties will be hit very, very hard. That means that farm workers, not just landowners, will be deeply affected, as well as small and rural communities.

The top two peanut-producing counties in Georgia are Worth County—I believe that is the birthplace of our good friend from Alabama, Senator HEFLIN—and also Early County. In 1993, 9.71 percent of the population of Worth County received aid to families with dependent children benefits and 19.4 percent received food stamps. In Early County, 13.38 percent of the population received

AFDC benefits; 28.9 percent of the population received food stamps.

Mr. President, no question about it, farming and the peanut program are vital to these economies. Nevertheless, peanut producers have not circled the wagon and said they are against all change. They have not rejected cost reductions. Indeed, peanut producers are working with Senators on both sides of the aisle toward a sound, workable program that will eliminate the taxpayers' cost of the overall support program. I do not believe we want to send a signal that a process like that will be thrown out the window by an amendment to the appropriations bill.

I concur with the Senator from Colorado that Government expenses ought to be eliminated from the peanut program to the greatest extent possible. I know that my colleagues, Senator COVERDELL, Senator COCHRAN, and Senator HEFLIN also generally agree with this sentiment.

I also agree with the Senator from Colorado that the program must be reformed to reflect new challenges and new opportunities presented by both the NAFTA Agreement and the GATT Agreement, but the amendment by the Senator from Colorado does not help in that regard. I think it impedes progress for real reform. Many in the peanut program did not support GATT or NAFTA, but these major trade programs passed, and they have been enacted into law. I voted for them.

We are now working through the farm bill to make sure the peanut and other programs reflect these new realities. This amendment would short circuit that process. NAFTA and GATT will require peanut producers to face new realities. They understand that. Our authorizers in the Agriculture Committee are working on orderly, but effective, reform of the peanut program.

Mr. President, I am a cosponsor of the bill, S. 1155, the Agriculture Competitiveness Act of 1995, which was introduced by Senator COCHRAN last month. This legislation eliminates the cost of the price support program to the U.S. Treasury. The Senator from Colorado mentioned that the peanut program cost \$120 million last year. I agree with him that that cost has to be driven down. As I understand S. 1155, these costs would be eliminated over a period of time under that bill.

Mr. President, I am particularly proud of the leadership of Georgia's peanut growers in supporting legislation that will eliminate the costs of the price support program. The peanut title in S. 1155 is a real reform measure. It delivers real savings to the Government—\$96 million in fiscal year 1997, according to the Congressional Budget Office.

In closing, Mr. President, let me reiterate that I agree with the Senator from Colorado that the costs of the peanut price support program to the taxpayer should be eliminated. I also agree with him that with the enact-

ment of GATT and NAFTA, the program must reflect the realities of foreign competition. I am confident that under the leadership of Senators HEFLIN, COVERDELL, and COCHRAN, the Senate will produce peanut legislation that meets both of those goals. But the Brown amendment undermines this process.

I urge that the amendment of the Senator from Colorado be defeated. Unless it is substantially redrawn, I hope it will be defeated. It is my hope, after talking with the Senator from Alabama and the Senator from Colorado and others, that there may be some re-drafting underway.

I yield back any time I have remaining that was yielded to me by the Senator from Alabama, and I thank him for yielding me the time.

Mr. WARNER. Mr. President, I rise today in opposition to the amendment offered by the senior Senator from Colorado.

The Agriculture Committee, of which I am a member, has been working diligently over the past several months to craft the 1995 farm bill. I have been working closely with other members of the committee to craft a bill that will achieve the cost savings necessary to reach a balanced budget, make our farm programs more market oriented, and ensure the continued success of the American farmer.

We have nearly reached that goal. As I am sure you are aware, there exists disagreement over the future of farm policy. But members and staff of the Agriculture Committee are working to forge a consensus.

Last month, I was pleased to join with six of my colleagues on the Agriculture Committee, including the Senator from Mississippi, to introduce the Agricultural Competitiveness Act of 1995. This bill sets forth our vision for the future of agriculture. Part of our consensus rests on the peanut program.

My colleagues and I on the committee have set forth a reformed peanut program that will operate at no cost to the taxpayer—none. We have outlined a program that will contribute upwards of \$400 million towards deficit reduction and our ultimate goal of achieving a balanced budget. And we have championed a plan that will ensure the continued success of the family farmer, to ensure that he will be there producing the highest quality, safest, and most abundant food supply in the world.

All parties recognize the need for reform. And we all know that the budget is driving the debate over agriculture. So, I commend my colleague from Colorado for his contribution to the cause.

But as my colleague from Mississippi mentioned yesterday, we are crafting a comprehensive farm bill, one that will address farm policy in a coherent, unified manner. And that is a goal I believe we will have achieved, when all is said and done.

But we cannot address farm policy in a piecemeal manner on an appropriations bill, singling out not just farmers, but one type of farmer—our peanut farmers—to bear an extra burden.

Let me speak to that burden. This amendment is nothing more than a tax on farmers. During my travels around the State and my discussions with Virginia farmers, one message is delivered: Reduce the regulatory and tax burden on the farmer. This amendment does the opposite.

In addition, this amendment singles out one type of farmer: the peanut farmer. Now, I know the calls to reform this program have been heard. As I have said, in the Agriculture Committee, we are working on a reformed peanut program.

But some insist on attacking the farmer wherever they can. Appropriations is not the vehicle for setting farm policy—particularly when it's bad farm policy.

The Federal Government administers numerous programs. I see no reason why peanut farmers should be singled out for what is nothing more than another tax. If we are going to proceed with this policy, then let's apply it across the board, and make everyone pay for the incidental administrative expenses associated with their programs. But let's not just single out one group of farmers.

Reasonable people will disagree about the future of farm policy. But this is the very debate we are undertaking in the Agriculture Committee.

This is a battle for another day. I urge my colleagues to oppose this amendment.

Mr. BROWN. Mr. President, I yield myself such time as I may consume.

Mr. President, I thank the distinguished Senator from Georgia, Senator NUNN, and also Senator COVERDELL for their helpful comments in this area. It is clearly an area they are very knowledgeable in, as well as the distinguished Senator from Alabama, who has been very helpful in this regard.

The Senator from Georgia is right when he says the normal job of dealing with this is in the authorizing committee. I have served in Congress now for 15 years—10 of it in the House and the remainder here in the Senate—and through that entire period of time, I would find it difficult to name a single time when the authorization bill was really on the floor and available for markup in either body. It may have been because of what was going on when I was in each particular House. But in the House of Representatives when it came up, there were restricted rules.

Frankly, what happens is reform in this area is difficult to come by because it is difficult to author. Why do you need reform? For this reason: This program hurts the consumers of America. The world price of peanuts runs in the neighborhood of \$350 a ton. Members will appreciate that it varies, as any commodity price does. But the es-

tablished target price under the marketing control program here is \$678. In other words, the price that American consumers pay for the domestic consumption is nearly double the real price. If somebody said you are going to pay double for this commodity what anybody else in the world pays, I do not think you would necessarily think they were consumers' friends.

This program clearly hurts consumers. This program hurts producers, too, Mr. President. How can that be? It hurts producers even though the program allows producers to produce other than products for the target price maintained under a special loan program. Even though it does allow them to produce additional peanuts that can be sold worldwide or inventoried to meet future quotas, what it does do is lead to the export of this industry.

This is a relatively new adjustment, but let me explain why I think it is so important that this be noted and that people understand why this program, as currently configured, does hurt producers. Under the new GATT market rules, access to the U.S. market has increased. Now, in the past, we could maintain a higher price in the world market because we had a protected market, because we not only restricted producers' ability to sell in the domestic market, but we restricted foreign competitors from selling under the U.S. rules.

Under the new GATT rules, foreign producers will gain greater access to the U.S. market. As that happens, it will be very difficult to maintain the target prices, and the cost of the program will skyrocket. Members want to do something about that.

Secondly—and this is perhaps the most important of all—it ought to be noted—this is, I think, quoted from Government sources, but I will quote it because I think it is so important here: "However, future imports of peanut products from Mexico under NAFTA are exempt from this quota." There are some exceptions.

Mr. President, what that means is, with NAFTA, we have let the Mexicans produce peanuts and sell them into our markets. They have not produced as big quantities in the past as they will in the future. They are rapidly expanding production in Mexico, and that will come out of United States production, because they will have access to our protected market. They will have the benefit of the significantly higher prices, even though they are not part of our program directly.

What is happening right now is processors of peanuts are trying to decide as to whether they pick up their processing equipment and move it to Mexico. If they do, they accommodate the vast expansion of competition for us in Mexico, and incidentally, they reduce our ability to process and maintain an industry here in the States.

So whether we want to deal with this or not, we are being forced to. Having signed the trade agreement under

NAFTA, we have new competition in Mexico, and that Mexican competition can produce peanuts at world prices, and those prices can dramatically undercut what we have in this program. Unless we act to change the program, we will drive much of this industry overseas.

It is a shame because American farmers are the best in the world. They are the most efficient, productive, and creative, and they are some of the hardest working people anywhere on the globe. To lose an industry that we do not have to lose because we cling to an out-of-date, above-market-price program would be a tragedy; it would be a tragedy for the good farmers and for this country's competitiveness.

Mr. President, I am sensitive to the argument that was so eloquently made by the Senators from Georgia and Alabama and other Members who have spoken on the floor about this. I think they are right when they say the best way to draft these reforms is in committee. I do not want this moment to pass without having this body go on record that we ought to at least address that and that it ought to be part of the consideration of a new farm bill.

So, Mr. President, at this point, in an effort to move the body forward, I would like to offer for consideration for the Senate a compromise that I believe has the approval of Members on both sides, which assigns this task of redrafting this area to the committee. But it puts the Senate on record of doing exactly what this original amendment was intended to do, and that is to add an assessment that goes to the people who enjoy the benefit of the program, have that assessment be big enough to cover the administrative costs.

Having stated clearly in this bill that it is the sense of the Senate that we should do that, I think it gives a strong foundation for the authorizing committee to do just that when they reauthorize this program and reconsider the changes that need to be made in it.

AMENDMENT NO. 2688, AS FURTHER MODIFIED

Mr. BROWN. Mr. President, I send a modification of my amendment to the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment is so modified.

The amendment, as further modified, is as follows:

At the appropriate place, insert the following:

"It is the Sense of the Senate that the current nonrefundable marketing assessment for the peanut program should be amended to direct that the current assessment is utilized in a manner to help defray the cost of the peanut program, particularly to cover all administrative costs of the peanut program, including the salaries and expenses of Department of Agriculture employees who carry out the price support or production adjustment program for peanuts."

Mr. BROWN. I believe this amendment is approved by both sides. It says this:

It is a sense of the Senate that the current nonrefundable marketing assessment for the

peanut program should be amended to direct that the current assessment is utilized in a manner to help defray the cost of the peanut program, particularly to cover all administrative costs of the peanut program, including the salaries and expenses of the Department of Agriculture employees who carried out the price support or production adjustment program for peanuts.

Mr. President, at this point, I yield to the distinguished Senator from Pennsylvania.

Mr. SANTORUM. I thank the Senator. I thank him for his original amendment, which I think is in the right direction, I think, reducing this cost to the Government. He recognizes this as someone who sees this program as really a flawed, but futilely flawed program—not fatally, but futilely, as in “futilism.” He recognizes this is a much bigger issue than just the administrative costs. We are talking about literally millions or more dollars to the consumers of America in paying more for peanuts.

I think the key point, I think that Members who may not be familiar with the peanut program, the key point that the Senator from Colorado pointed out is that this system is doomed to fail. It cannot be sustained because of what is going to happen with NAFTA and with other trade agreements.

Mexico is in the process right now of planting more peanuts. They come into this country without the restrictions in place. They are going to replace growers here in this country, which means of course that we will be paying more money here at the Federal level to maintain that target price.

I think it is a system that if you talk to peanut growers and people who hold the quotas, as the Senator from Colorado pointed out, 70 percent of the quotas are held by people who do not grow peanuts.

It is a feudal system. You do not have to grow peanuts to own these quotas. To allow you to grow peanuts you basically have this passed down from your grandfather or great-grandfather. You hold and you collect all this money for someone else to grow peanuts on their land.

As I said, feudal system best describes it. Seventy percent are owned by people who do not farm the land. They are the ones getting rich on this program. They are the ones making all the money on this program. They are the ones running the ads that say, boy, you cannot touch the peanut program. I would not either.

I have a lot of peanut quota holders in Pennsylvania who do not like what I am doing, but I have a lot of jobs leaving the State of Pennsylvania from Hershey's, which just moved a plant to Mexico because of the sugar problem, which is another thing we need to talk about.

Peanuts is another problem. We lost jobs to Canada and other places in the confection industry, and by the hundreds.

If we were benefiting small farmers who are trying to grow their patch,

that is one thing, but these are large quota interest holders who simply are making money because their granddaddy was around at the time they were passing them out.

I think that is not what our tax dollars should be used for. It is destroying the market. It is costing consumers literally billions of dollars a year.

The Senator had a very modest amendment. I agree with his modification in the sense that this should be worked out by the Agriculture Committee. It should be worked out in the reconciliation bill and in the farm bill.

We had meetings, as I am sure the Senator from Colorado did, today we had meetings in the Agriculture Committee on the Republican side and we will continue to meet to see if we can work out something to address this program, save the taxpayers' dollars and save the consumer money in peanut butter costs downstream.

I appreciate the Senator from Colorado who has really been a stalwart on this issue, who has been out here fighting this battle. I am a recent joiner of his forces. I want to congratulate him for coming to the floor, offering this amendment, keeping the pressure on the committee, keeping us moving forward so we can get rid of this system which is simply indefensible under any kind of budget restrictions.

I yield back the time of the Senator from Colorado.

Mr. HEFLIN. It is my understanding Senator DOMENICI desires to speak. Since this was worked out I did not intend to make a speech, but there have been certain statements that I do not want to leave that are erroneous.

No. 1, the peanut program does not have a target price and does not have a subsidy. It has a loan rate. Historically, the loan rate has every year been substantially lower than the price paid to the peanut farmer for his peanuts.

Historically over 10 years, the peanut program has averaged only \$13 million a year in cost to the U.S. Government. It varies as to what may happen at various times.

In regard to the savings of the consumer, there was a GAO study that indicated that there could be savings to the first purchaser of peanuts.

In testimony before the Agriculture Committee of the House the GAO representative who was there testifying made a distinction between the first purchaser and the final consumer, and he went on to say that in the study they contacted the manufacturers and asked them, “Will the savings be passed on to the consumer?” The answer was “Well, we may develop new products and have a different promotional program.”

There have been many studies over the years that have shown that as the price of peanuts goes up and down they are not passed on to the consumer. Purdue University has conducted two such studies and have traced over the history what the price has been.

I just wanted to make those statements. I can go into much more detail

and make a further statement and speech but I see Senator DOMENICI is on the floor.

I yield 2 minutes.

Mr. DOMENICI. Mr. President, I might ask that chairman of the committee, as I understand it, Senator BROWN has changed his amendment to a sense of the Senate.

Mr. COCHRAN. The Senator is correct. Senator BROWN is on the floor and has modified his amendment substantially.

Mr. DOMENICI. Mr. President, let me say to Senator BROWN, it is a little known fact that New Mexico is a peanut grower. We all know about the South, but New Mexico grows a rare peanut called Valencia peanuts. They are a little bit different than peanuts grown in your State, Senator HEFLIN, or in Georgia.

Our program does not cost any money, and I understand that reconciliation is going to look at all the farm bill and all the commodity programs and in the process they will look at the peanut program, which would include New Mexico and a piece of Texas of the Valencia peanuts, and the industry is committed to a program that has no cost to the Federal Treasury.

As I understand it, Senator HEFLIN, that is not just what the Valencia peanut industry is saying but the peanut industry at large is committed to working out a bill in reconciliation with no cost to the Federal Government.

That is all I wanted to say. With that interpretation I assume we are not seriously opposed to this sense-of-the-Senate proposal that the distinguished Senator from Colorado offers.

I want to thank the Senator for leaving the issue—the real issue of how they go about doing that—to the Committee on Agriculture in the Reconciliation Act.

I was going to argue on your first amendment that you were not really saving money but I do not want to do that now. The truth of the matter is you would not have been, so maybe I will just say it.

Actually, unless you were willing to reduce the caps, that money would be spent by some other committee somewhere else. I was going to make that point, but you were judicious and amended it before we had to come down and do that.

I yield the floor.

Mr. BROWN. Mr. President, I want to thank the Senator from New Mexico for being enlightened, and I hope he has not given up on that task because I suspect that effort will be needed again.

I simply add to the RECORD, Mr. President, information included by the Congressional Research Service on this subject because we talked about the costs of the program.

CRS reports that in 1983 to 1986 the program averaged a cost of \$9.9 million a year; in the periods of 1987 to 1991 the program averaged a cost of \$15.5 million; more than a 50-percent increase;

the period of 1992 to 1996, the program averaged \$54.8 million a year, which is 3.5 times what it was in the previous period.

As we have noted, the program last year appears to be in the neighborhood of \$120 million. CRS says \$119.5 million is their estimate. That is not a finalized figure.

Mr. President, the other point that I think is important, that the real cost of this program is not what it costs the taxpayers, which is significant and growing dramatically. It is what it costs the consumers of America, which CRS indicates may be in the neighborhood of \$300 million to \$500 million a year.

It is clear this is an area that merits reform. I appreciate my colleagues pointing out the proper role of the authorizing committee here. I hope we will make progress on it. Since we have reached agreement on the revised amendment, I believe Members will be comfortable in voting on this by voice. A rollcall vote will not be necessary.

Mr. COCHRAN. Mr. President, if the Senator would yield for a response, the amendment now is acceptable, I am told, on both sides of the aisle.

I understand, too, that the yeas and nays had been ordered but that we can vitiate the yeas and nays and no rollcall vote would be necessary.

If there is no objection, I ask unanimous consent that the yeas and nays be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I suggest to Senators who have time under the agreement if we yield back all time we can vote on the amendment on a voice vote.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I yield such time as I have.

Mr. HEFLIN. Mr. President, I yield back what time I have.

The PRESIDING OFFICER. All time having been yielded back, and no one wishing to speak on this amendment, the question now occurs on the Brown amendment, No. 2688, as modified, to the committee amendment on page 83, line 4 of the bill.

The question is on agreeing to the amendment.

The amendment (No. 2688), as modified, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON COMMITTEE AMENDMENT, ON PAGE 83, LINE 4 THROUGH LINE 2, PAGE 84, AS AMENDED

The PRESIDING OFFICER. The question now occurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. COCHRAN. I move to reconsider the vote by which the committee amendment was agreed to.

Mr. CONRAD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

PRIME TIME TELEVISION—THE NEW FALL TV PROGRAM LINEUP

Mr. CONRAD. Mr. President, I would like to bring the attention of the Senate an article entitled "Sex and Violence on TV" from the most recent issue of U.S. News & World Report—September 11, 1995. The article reviews television network programming for the upcoming fall TV season. I am particularly troubled by the direction of the networks. The lead in the article describes the season as "to hell with kids—that must be the motto of the new fall TV season." The article suggests that the family viewing hour—the 8 p.m. to 9 p.m. period—is dead, and that sex, vulgarity and violence rules prime time.

Tom Shales in his review this weekend of fall television network programming in the Washington Post makes similar observations. He remarked, "vulgarity is on the rise. Sitcom writers make big bucks coming up with cheap laughs. Buried in the dust of competition is the old family viewing concept that made the 8 p.m. hour—7 p.m. on Sundays—a haven from adult themes and language."

As my colleagues are aware, earlier this summer, the Senate and House of Representatives debated at length the issue of television violence as part of the telecommunications bill, S. 652 and H.R. 1555. Both the House and Senate bills include provisions requiring that new television sets be equipped with technology to permit parents to block television programming with violent, sexual or other objectionable content. The measure also encourages the development of a voluntary rating system by the television industry, a system that would enable parents to make informed decisions about television viewing for their children.

Mr. President, with all the attention focused on television violence over the past few months—including a recent pledge by my distinguished colleague senator ROBERT DOLE to clean up television and movies—it is astonishing that television networks are promoting a fall TV season that demonstrates so much disregard for the wishes of American families and the clear majority of the House and Senate. American people want television networks to develop programming with considerably less violence, sexual and indecent content. The new fall television schedule is a tragedy.

Time and time again, I, and members of the Citizens Task Force on Television Violence have been told by the media that Government intervention to reduce violent and objectionable television programming is not necessary. We were assured that the media will act responsibly. The networks argue that the technology for parents to

block programming and a rating system for programming are not necessary.

Mr. President, the U.S. News & World Report's review of fall TV programming suggests otherwise. It is regrettable that the networks are demonstrating such disregard for the wishes of American families. The UCLA Center for Communications Policy's Network Violence Study released earlier today confirms some of these continuing concerns regarding violent programming. The UCLA study points out that while some programming shows improvement in the overall reduction of violence, the study identified serious problems regarding the level of violence in theatrical films on television, on-air promotions, children's television and the lack of parental advisories. I urge the American public to let their Senators and Members of the House of Representatives know their views on programming for the upcoming fall TV season, and to express strong support for the v-chip legislation when it is considered by the House-Senate Conference on the telecommunications bill. I ask unanimous consent Mr. President, that the text of the article from the U.S. News & World Report be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CONRAD. Mr. President, I just want to conclude by saying the evidence is, really, overwhelming. I have been working on this issue for 5 years. I have put together a national coalition that involves church groups, law enforcement, all of the children's advocacy groups, the principals of America, the teachers, the National Education Association, group after group after group who have said, "Enough is enough. Let us reduce the mindless, repetitive violence that is on television. Let us reduce that objectionable sexual content. Let us have television realize the promise that it offers the American people, to uplift, to educate, to inform." That is what our society desperately needs.

And over and over the networks have told us, "Be patient, just wait. We are going to act."

Now, we have the fall schedule and we can see how hollow those promises are. Over and over we have been told, "We are going to do better. We are going to reduce the level of violence. We are going to reduce other objectionable content."

Mr. President, they have not kept the promise. I call on my colleagues to stand fast. We passed here, by 73 to 26, the "choice chips" that will permit parents to decide what their children are exposed to. That is the appropriate response.

I, once again, call on the networks to take action to keep their promises and, hopefully, to support this legislation that will provide "choice chips" in new television sets so parents can choose;